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Attorneys for Defendants  
NAVIGATORS SPECIALTY INSURANCE  
COMPANY (formerly known as NIC  
INSURANCE COMPANY and erroneously  
sued as NAVIGATORS INSURANCE COMPANY)  
and NAVIGATORS MANAGEMENT  
COMPANY, INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

CHRISTIAN NAYLOR, an individual; and  
CHRISTIAN NAYLOR dba NAYLOR  
CONSTRUCTION

Plaintiffs,

vs.

NAVIGATORS INSURANCE COMPANY, a  
corporation; NAVIGATORS MANAGEMENT  
COMPANY, INC., a corporation; LINCOLN  
GENERAL INSURANCE COMPANY, a  
corporation; GEMINI INSURANCE  
COMPANY, a corporation, W.R. BERKLEY  
CORPORATION, a corporation and DOES 1  
through 50, inclusive.

Defendants.

Case No. **'12CV0297 BEN WMC**

San Diego Superior Court  
Case No. 37-2011-00060024-CU-BC-NC

**DEFENDANTS NAVIGATORS  
SPECIALTY INSURANCE COMPANY  
(formerly known as NIC INSURANCE  
COMPANY and erroneously sued as  
NAVIGATORS INSURANCE  
COMPANY) AND NAVIGATORS  
MANAGEMENT COMPANY, INC.'S  
NOTICE OF REMOVAL OF ACTION  
PURSUANT TO 28 U.S.C. §§ 1332, 1441,  
and 1446**

Complaint filed: November 22, 2011

**TO THE JUDGES AND CLERK OF THE ABOVE-ENTITLED COURT:**

**PLEASE TAKE NOTICE** that defendants Navigators Specialty Insurance Company  
(formerly known as NIC Insurance Company and erroneously sued as Navigators Insurance  
Company) and Navigators Management Company, Inc. (collectively "Navigators") hereby  
remove the above-entitled action from the Superior Court of the State of California for the  
County of San Diego to the United States District Court for the Southern District of California

1 pursuant to 28 U.S.C. §§ 1332, 1441, and 1446. This notice is based upon the original  
 2 jurisdiction of the United States District Court over the parties under 28 U.S.C. § 1332(a)  
 3 because the parties have diversity of citizenship and the amount in controversy exceeds the sum  
 4 of \$75,000.

5 In support of this Notice of Removal, Navigators states as follows:

6 1. On November 22, 2011, plaintiffs Christian Naylor and Christian Naylor dba  
 7 Naylor Construction ("Plaintiffs") commenced this action by filing a Complaint in the Superior  
 8 Court of the State of California for the County of San Diego entitled: *Naylor, et al. v. Navigators*  
 9 *Insurance Company, et al.*, Case No. 37-2011-00060024-CU-BC-NC (the "State Action"). A  
 10 true and accurate copy of the complaint in the State Action is attached hereto as Exhibit 1.

11 2. On January 6, 2012, Plaintiffs served their Complaint and summons on  
 12 Navigators. A true and accurate copy of the proof of service of the State Action on Navigators is  
 13 attached hereto as Exhibit 2. A true and accurate copy of Navigators Answer to Plaintiffs'  
 14 Complaint, filed on February 2, 2012 in the State Action, is attached hereto as Exhibit 3.

15 3. Navigators is informed and believes that Plaintiffs are citizens of California.  
 16 Paragraphs 1 and 2 of the Complaint allege that at all times material, Mr. Naylor, individually,  
 17 and dba Naylor Construction resided in San Diego, California. (Exhibit 1.) Likewise, attached  
 18 to the Complaint is an alleged copy of the declarations page to policy no. GS409639 ("Policy").  
 19 The declarations page of the Policy indicates that Plaintiffs' mailing address was P.O. Box  
 20 91264, San Diego, CA 92169. Likewise, the construction project underlying this matter was in  
 21 San Diego County, California. (See Exhibit 1 (Complaint ¶ 13 and Exhibit F thereto.) As such,  
 22 for purposes of diversity jurisdiction, Plaintiffs have their principal place of business in  
 23 California and are citizens of California. *Industrial Techtonics, Inc. v. Aero Alloy* (1990) 912  
 24 F.2d 1090, 1094; *Jerguson v. Blue Dot Investment, Inc.* (1981) 659 F.2d 31.

25 4. Plaintiffs' Complaint admits that the Navigators defendants are New York  
 26 corporations. Because the Navigators defendants also maintain their principal place of business  
 27 in New York, for diversity purposes, they are deemed citizens of New York. (28 U.S.C. §  
 28 1332(c)(1).)

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San Diego, CA 92101

1           5.       Plaintiffs' Complaint admits that Lincoln General Insurance Company ("LGIC")  
2 is a Pennsylvania corporation. Navigators is informed and believes that LGIC's principal place  
3 of business is in Pennsylvania. As such, for purposes of diversity jurisdiction, LGIC is deemed a  
4 citizen of Pennsylvania. (28 U.S.C. § 1332(c)(1).)

5           6.       Plaintiffs' Complaint admits that Gemini Insurance Company ("Gemini") is a  
6 Delaware corporation. Navigators is informed and believes that Gemini's principal place of  
7 business is Connecticut. As such, for purposes of diversity jurisdiction, Gemini is deemed a  
8 citizen of Delaware or Connecticut. (28 U.S.C. § 1332(c)(1).)

9           7.       Plaintiffs' Complaint admits that W.R. Berkley Corporation ("W.R. Berkley") is a  
10 Delaware corporation. Navigators is informed and believes that W.R. Berkley's principal place  
11 of business is Connecticut. As such, for purposes of diversity jurisdiction, W.R. Berkley is  
12 deemed a citizen of Delaware or Connecticut. (28 U.S.C. § 1332(c)(1).)

13           8.       Plaintiffs allege in the Complaint that they have incurred in excess of \$65,000 in  
14 attorney fees and costs and that Plaintiffs are seeking recovery of those fees in addition to  
15 amounts paid in settlement of the underlying action, and punitive damages. (Exhibit 1  
16 (Complaint ¶ 67 and Prayer).) Also, a letter from Michael Quade of Quade & Associates  
17 (counsel for Plaintiffs) to Geoffrey V. Pohl of Vela Insurance Services, Inc. (Exhibit K of the  
18 Complaint), states that the cost of repair utilized by Plaintiffs in the underlying construction  
19 defect lawsuit entitled *Stephen R. Stein, et al. v. Michael F. Aulert, et al.*, County of San Diego  
20 Superior Court, Case No. 37-2008-00092426-CO-CD-CTL (the "Underlying Action"), exceeds  
21 \$1 million, that total damages exceed \$3 million and that Naylor Construction is subject to  
22 approximately \$190,000 in *Stearman* costs. (Exhibit 1.) Likewise, Plaintiffs' Motion for Good  
23 Faith Settlement filed in the Underlying Action asserts that the value of the claims asserted  
24 herein is approximately \$100,000.00. (Exhibit 4, page 7:19-20.) Therefore, on information and  
25 belief, Navigators asserts that the amount in controversy in this action is in excess of \$75,000,  
26 exclusive of interests and costs.

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1           9.       This action is, therefore, a civil action of which this Court has original jurisdiction  
2 under 28 U.S.C. § 1332(a), and one which may be removed by Defendants to this Court pursuant  
3 to 28 U.S.C. §§ 1441 and 1446, in that it is a civil action wherein the matter in controversy  
4 exceeds \$75,000 (exclusive of interest and costs) and is between diverse citizens.

5           10.       Navigators is informed and believes that Gemini and W.R. Berkley were served  
6 with Plaintiffs' Complaint on January 9, 2012. A true and accurate copy of Gemini's Answer to  
7 Plaintiffs' Complaint, filed in the State Action on January 25, 2012, is attached hereto as Exhibit  
8 5. (Declaration of Timothy P. Lindell ("Lindell Decl.") ¶ 6.)

9           11.       Navigators is informed and believes that LGIC was served with Plaintiffs'  
10 Complaint on January 17, 2012. A true and accurate copy of LGIC's Answer to Plaintiffs'  
11 Complaint, filed in the State Action on January 26, 2012, is attached hereto as Exhibit 6.  
12 (Lindell Decl., ¶ 7.)

13           12.       This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b), which  
14 provides that, "[t]he notice of removal of a civil action or proceeding shall be filed within thirty  
15 days after the receipt by the defendant, through service or otherwise, of a copy of the initial  
16 pleading setting forth the claim for relief upon which such action or proceeding is based..."  
17 Navigators is informed and believes that they were the first defendants served in this action and  
18 that this notice is filed within 30 days after service on Navigators of Plaintiffs' Complaint.

19           13.       Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being filed  
20 with the Clerk of the San Diego Superior Court in the State Action.

21           14.       Pursuant to 28 U.S.C. § 1446(d), Navigators is providing a copy of this Notice of  
22 Removal to the respective counsel for Plaintiffs, LGIC, Gemini, and W.R. Berkley.

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1 WHEREFORE, having provided notice as required by law, Navigators hereby removes  
2 this action from the Superior Court of the State of California for the County of San Diego to this  
3 Court, and requests that this Court exercise jurisdiction over all further proceedings in this  
4 action.

5 Dated: February 3, 2012

GORDON & REES LLP

6  
7 By: /s/ Timothy P. Lindell  
8 Steven B. Bitter  
9 Timothy P. Lindell  
10 [sbitter@gordonrees.com](mailto:sbitter@gordonrees.com)  
11 [tlindell@gordonrees.com](mailto:tlindell@gordonrees.com)  
12 Attorneys for Defendants  
13 NAVIGATORS SPECIALTY  
14 INSURANCE COMPANY  
15 (FORMERLY KNOWN AS NIC  
16 INSURANCE COMPANY AND  
17 ERRONEOUSLY SUED AS  
18 NAVIGATORS INSURANCE  
19 COMPANY) AND NAVIGATORS  
20 MANAGEMENT COMPANY, INC.  
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## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

CHRISTIAN NAYLOR and CHRISTIAN NAYLOR dba NAYLOR CONSTRUCTION

**DEFENDANTS**

NAVIGATORS SPECIALTY INSURANCE COMPANY and NAVIGATORS MANAGEMENT COMPANY, INC., et al.

(b) County of Residence of First Listed Plaintiff San Diego  
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant New York  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

STEVEN B. BITTER (SBN: 156911)  
TIMOTHY P. LINDELL (SBN: 208966)  
Gordon & Rees LLP  
101 W. Broadway, Suite 2000  
San Diego, CA 92101  
Telephone: (619) 696-6700

Attorneys (If Known)

MICHAEL W. QUADE  
CHERYL L. GUSTAFSON  
Quade & Associates  
3377 Carmel Mountain Road, Suite 250  
San Diego, CA 92121

**'12CV0297 BEN WMC**

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☐ 3 Federal Question (U.S. Government Not a Party)  
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                                       |                            |   |                            |                                       |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
|   | PTF                                   | DEF                        |   | PTF                        | DEF                                   |
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input checked="" type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding  
☒ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify) \_\_\_\_\_  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S.C. § 1332

1) Breach of Contract; 2) Breach of Covenant of Good Faith and Fair Dealing; 3) Injunctive Relief and Restitution Pursuant to Business & Professions Code § 17200

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23  
DEMAND \$75,000+

CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE February 3, 2012  
SIGNATURE OF ATTORNEY OF RECORD  
/s/ Timothy P. Lindell

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_



**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44****Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

**I. (a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

**II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

**III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

**IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

**V. Origin.** Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

**VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553  
Brief Description: Unauthorized reception of cable service

**VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

**VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.